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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,120	08/22/2001	Todd Robert Colas	NOW0730	8373

7590 11/06/2002

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EXAMINER

RETTA, YEHDEGA

ART UNIT

PAPER NUMBER

3622

DATE MAILED: 11/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

SK 1

Office Action Summary	Application No. 09/935,120	Applicant(s) COLAS ET AL.	
	Examiner Yehdega Retta	Art Unit 3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3622

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim recites “ database accessing by said associated at least one of said plurality of roles...”. Claims 6 and 10, which the claim depends on, recites “...template being associated with.... by at least one of said plurality of business rules”, “ ...plurality of entries and associated business rules”, “...plurality of components and associated business rules”, “...roles being associated with each said Ad Box...”, etc. It is not clear what the said associated is referring to.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 20, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kashino U.S. Patent No. 6,166,716, in view of ILOG Jrules Software as taught by article “New ILOG JRules Software is First to Bring Business Rule Creation to Business People” PR Newswire; New York; Apr 5, 2000, hereinafter as “ILOG ”.

Art Unit: 3622

3. Regarding claims 1-4, 20, 25 and 26, Kashino teaches company advertiser and ad publisher personnel roles to accomplish preparation of ads for publication wherein the ads are formatted for a least one ad delivery medium (see col. 8 line 48 to col. 9 line 28). Kashino teaches preparation and administration of ads for publication by said roles according to business rules (see fig. 7 and related columns). Kashino does not explicitly teach specifying business rules to control preparation and administration of ads for publication and storing the rules and personnel roles in a database. ILOG teaches specifying customized business rules for specific application or industry. ILOG teaches specifying business rule definition and implementation as well as workflow management, logistics and exchanges (see page 1-3). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kashino's publishing of ads and ILOG's software for creating business rules. One would be motivated implement ILOG's software to create business rules Kashino's publishing of for the purpose of describing and controlling the structure, operation and strategy of the publication business. Both Kashino and ILOG teach networked (Internet), distributed and replicated database and a web browser (see Kashino col. 8 line 48 to col. 9 line 28 and ILOG page 3).

4. Claims 5-19 and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kashino U.S. Patent No. 6,166,716, in view of ILOG Jrules Software as taught by article "New ILOG JRules Software is First to Bring Business Rule Creation to Business People" PR Newswire; New York; Apr 5, 2000, hereinafter as "ILOG " and further in view of Johnson et al. U.S. Patent No. 6,453,302.

5. Regarding claims 5-19 and 21-24, Kashino, as modified, does not explicitly teach Ad Box default template defining a plurality of entries for each ad box instance or ad Master

Art Unit: 3622

template defining a plurality of components for each master instance; the ad box default temple and ad master template being defined by at least one of company advertiser or ad publisher being controlled by at least one of the plurality of business rules; storing the template (see col. 5 lines 33-67, col. 7 line 29 to col. 8 line 11) ... associated business rules; the business rule determining deadlines and attribute of entries for each ad box and ad master instances; creation, editing and storing of the ad templates and associated business rules, sending to publisher, setting and status ... (see col. 8 line 57 to col. 9 line 59). Johnson teaches a presentation generation system, which integrates customer specific information with a selling entity element to generate a presentation item for sale of product customized for a particular customer of the selling entity (see abstract). Johnson teaches templates used to develop a presentation item (ad) and templates used by the customer solution system to receive customer information and to generate a customer solution, templates such as programs, rules or instructions which perform the functions of ... (see col. 8 lines 43-56). Johnson teaches the template being used to generate customized presentation items, including presentation format templates indicating the various information to be integrated to form a presentation item (ad). The presentation format template associated with rules defining, for example, the layout of a presentation item which implies that templates being controlled by associated business rules and being defined by at least one of company advertiser and ad publisher. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to modify Kashino's publication of ads by include Johnson's templates associated with and controlled by business rules in order to quickly and easily create the presentation (ad).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wong et al. U.S. Patent No. 5,890,175, dynamic generation and display of catalogs.

Witek et al. U.S. Patent No. 6,253,188, automated interactive classified ad system for the Internet.

Dedrick U.S. Patent No. 5,724,521, method and apparatus for providing electronic advertisements to end users in a consumer best-fit pricing manner.

Du, U.S. Patent No. 6,052,684, system and method for performing consistent workflow process execution in a workflow management system.

Du et al. U.S. Patent No. 5,826,236, distributed workflow resource management system and method.

Stone et al. U.S. Patent No. 6,446,045, method for using computers to facilitate and control the creating of a plurality of functions.

Gryphon et al. U.S. Patent No. 6,233,537, workflow modeling language.

Warmus et al. U.S. Patent No. 6,446,100, variable imaging using an electronic press.

Zorn, U.S. Patent No. 6,129,346, method for forming a brochure attached to a periodical.

Sheard et al. U.S. Patent No. 6,208,345, visual data integration system and method.


Beck et al. U.S. Patent No. 6,167,395, method and apparatus for creating specialized multimedia threads in a multimedia communication center.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yehdega Retta whose telephone number is (703) 305-0436. The examiner can normally be reached on 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (703) 305-8469. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9326 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Yehdega Retta
Examiner
Art Unit 3622


STEPHEN GRAVINI
PRIMARY EXAMINER

YR
October 30, 2002